

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCESAttorney's Docket No.:
P41 9498In Re Application of:
Wahl and O'GormanSerial Number:
08/147,912Filed:
11/03/93For: FLP-MEDIATED GENE MODIFICATION IN
MAMMALIAN CELLS, AND COMPOSITIONS AND
CELLS USEFUL THEREFORGroup Art Unit:
1814Examiner:
C. Low

RECEIVED
JAN 26 1995
GROUP 1800

Applicant hereby appeals to the Board of Appeals from the decision dated July 14, 1994, of the Examiner rejecting claims 25, 26, 28, 42-46 and 48.

1. Appeal fee (37 C.F.R. 1.17(e))

other than small entity \$280.00
 small entity \$140.00

 verified statement attached

verified statement previously filed in parent application serial no. 07/666,252 on March 8, 1991.

2. A petition and fee for an extension of time for reply to the rejection is attached.

Extension fee (37 C.F.R. 1.17(a) - (c))

 other than small entity \$110.00 \$370.00 \$870.00 \$1,360.00 small entity verified statement attached

verified statement previously filed in parent application serial no. 07/666,252 on March 8, 1991.

 \$ 55.00 \$185.00 \$435.00 \$680.003. A check is attached for the sum of \$575.00, \$140.00 of which covers the Notice of Appeal fee and \$435.00 of which covers the fee for the three-month extension of time. The Commissioner is authorized to charge any additional fees required to file a Notice of Appeal to Deposit Account No. 16-2460. A duplicate copy is enclosed.4. Please charge the fee(s) to Deposit Account No. 16-2460. A duplicate copy is enclosed.4/17/95
DateStephan E. ReiterRegistration No.: 31,192
Attorney for ApplicantPRETTY, SCHROEDER,
BRUEGEMANN & CLARK
444 South Flower Street, Suite 2000
Los Angeles, California 90071I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on 4/17/95
DateBY Stephan E. Reiter Reg. No. 31,192
140.00 CR 4/17/95

Date of Signature

APPEAL BRIEF AND AMENDMENT AFTER FINAL
TRANSMITTAL LETTER

Docket Number: P41 9498

Serial No.
16-2460-912Filing Date
11/03/93Examiner
C. LowGroup Art Unit
1814Inv. No.
74 20
1995FLP-MEDIATED GENE MODIFICATION IN MAMMALIAN CELLS, AND
COMPOSITIONS AND CELLS USEFUL THEREFOR

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Transmitted herewith are:

JUL 27 1995

1.) Amendment After Final;
2.) Appellants' Brief under 37 CFR § 1.192;

Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.

No additional fee is required.

— The fee has been calculated as shown below:

CLAIMS AS AMENDED

	NUMBER AFTER AMEND- MENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBER OF EXTRA CLAIMS PRESENTED	RATE				FEE	
				SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY		
Total Claims	-	*	=	***	X \$ 11	\$ 22	=	\$	\$
Independent Claims	-	**	=	***	X \$ 38	\$ 76	=	\$	\$
First Presentation of Multiple Dependent Claim	<u>Yes</u> <u>No</u>				\$120	\$240	TOTAL ADDITIONAL FEE		

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

— Please charge my Deposit Account No. 16-2460 the amount of \$ _____. A duplicate copy of this sheet is enclosed.

A check in the amount of \$385.00 is enclosed to cover the fee for filing the Brief (\$140.00) and \$245.00 to cover the fee for a fourth-month extension of time (\$680.00, less \$435.00 previously submitted to the PTO on June 7, 1995; copy attached).

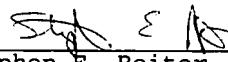
The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2460. A duplicate copy of this sheet is enclosed.

Any additional filing fees required under 37 C.F.R. 1.16.
 Any patent application processing fees under 37 C.F.R. 1.17.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on 7/17/95

By Stephen E. Reiter
Date: 7/17/95
Stephen E. Reiter, Reg. No. 31,192

Respectfully submitted,


Stephen E. Reiter
Registration No. 31,192

PRETTY, SCHROEDER,
BRUEGEMANN & CLARK
444 South Flower Street, Suite 2000
Los Angeles, California 90071
(619) 546-4737

Date of Signature

7/17/95